IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 117 OF 2006

M/s. Ekta Enterprises.] .. Petitioners

Versus

1. The Collector, Mumbai & Anr.] .. Respondents

None for the petitioners.

Mr. M.D. Naik i/b S.P. Salkar for the respondent No.2.

Mr. P.M. Palshikar, AGP, for respondent No.1.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 06TH MARCH, 2006

P.C. :

. None present for the petitioner when matter is called out.

2. We have perused the reply of respondent No.2. From the reply it is apparent that the stand of the petitioner was that the charges due and payable on account of M/s. Vasudha Enterprises are paid in the name of M/s. Ekta Enterprises. On verification, it was found that amounts were not paid. An opportunity was given for hearing. Inspite of various opportunities,

petitioners chose not to appear and consequently, an exparte order came to be passed.

3. In our opinion, once the petitioners were given opportunity and if the case of the respondents is that on verification they found that dues have not been paid, this would not be a fit case for this court to exercise its extra ordinary jurisdiction.

4. Hence rejected.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]